

**MINUTES OF THE REGULAR MEETING  
RIVER OAKS CITY COUNCIL  
MARCH 9, 2010**

**MEMBERS PRESENT:**

MAYOR HERMAN EARWOOD  
MAYOR PRO TEM JOE CREWS  
COUNCIL MEMBER JOANN BUTLER  
COUNCIL MEMBER R.R. "BOB" MINTER  
COUNCIL MEMBER JOANN GORDON

**STAFF PRESENT:**

CITY SECRETARY MARVIN GREGORY  
POLICE CHIEF DAN CHISHOLM  
FIRE CHIEF BILL CREWS  
OFFICE MANAGER PAULA BAGWELL  
SECRETARY SUSAN STEWART  
CITY ATTORNEY BETSY ELAM

**MEMBERS ABSENT:**

COUNCIL MEMBER STEVE HOLLAND (FAMILY MEDICAL)

1. CALL TO ORDER

With a quorum present, Mayor Earwood called the Regular Meeting of the River Oaks City Council to order at 7:00 p.m. on Tuesday, March 9, 2010 at the River Oaks City Hall, 4900 River Oaks Blvd., River Oaks, Texas 76114.

2. INVOCATION

Mayor Pro Tem Crews delivered the Invocation.

3. PLEDGE OF ALLEGIANCE TO UNITED STATES FLAG AND THE TEXAS FLAG

FC Crews led the pledges of allegiance to the United States and the Texas Flags.

4. **READING OF PROCLAMATION(S) BY MAYOR:**

Mayor Earwood read a proclamation declaring April 2010 as River Oaks Clean Up Month and April 24, 2010 as River Oaks Clean Up Day in the City of River Oaks.

Mayor Earwood read a proclamation declaring March 2010 as March for Meals Awareness Month in Tarrant County.

5. **CONSENT AGENDA:** ALL ITEMS UNDER THIS SECTION ARE RECOMMENDED FOR APPROVAL FOR THE "CONSENT AGENDA". THESE ITEMS ARE OF A ROUTINE NATURE AND REQUIRE ONLY BRIEF DELIBERATION BY COUNCIL:

- A. MINUTES OF CITY COUNCIL MEETING FEBRUARY 23, 2010
- B. MINUTES OF TOWN HALL MEETING MARCH 4, 2010
- C. BILLS PAYABLE FOR PERIOD ENDING MARCH 9, 2010

**Council Member Butler moved, seconded by Council Member Gordon, to approve consent agenda items A, B, and C, as presented. All voted "Aye."**

**6. ITEMS TO BE WITHDRAWN FROM CONSENT AGENDA FOR SEPARATE DELIBERATION:** COUNCIL RESERVES THE RIGHT TO REMOVE ANY ITEM ON THE CONSENT AGENDA FOR FURTHER DELIBERATION

**None.**

**7. DRAWING TO DETERMINE THE ORDER IN, WHICH THE NAMES OF CANDIDATES ARE TO BE PRINTED ON THE BALLOT FOR THE CITY MUNICIPAL ELECTION TO BE HELD ON MAY 8, 2010**

CS Gregory conducted the drawing to determine the order in which the candidate's names shall be printed on the ballot for the City Municipal Election to be held on May 8, 2010. The drawing resulted in the following order of placement: R.R. "Bob" Minter shall be listed first on the ballot and Sherrie Uptmore-Dast shall be listed second on the ballot.

**7. RIFA PARA DETERMINAR EL ORDEN, EN EL CUAL SE IMPRIMIRAN LOS NOMBRES DE LOS CANDIDATOS EN LA TARJETA ELECTORAL, PARA LA ELECCION MUNICIPAL DE LA CIUDAD, QUE SE LLEVARA A CABO EL 8 DE MAYO DEL 2010.**

**PERSONAL APPEARANCES AND ITEMS REQUIRING COUNCIL APPROVAL/ACTION:**

**8. APPEARANCE OF JACK EADES, EXECUTIVE DIRECTOR, UPDATING CITY ON MEDSTAR SERVICES AND PREVIEW OF NEW PROGRAMS**

Jack Eads, Executive Director for MedStar, introduced Matt Zavadsky who gave a presentation on recent changes in the MedStar management system that included increases in response time reliability; staffing levels; accountability; and community involvement and recognition.

**No action was taken.**

**9. CONSIDER APPROVAL TO ENTER INTO AN AGREEMENT FOR THE CITY'S INSURANCE AGENT**

Mayor Earwood stated that a committee consisting of Council Member Butler, CS Gregory, Office Manager Bagwell, and PC Chisholm had been selected to interview prospective candidates for the City's insurance broker.

CS Gregory presented the recommendation of the committee to remain with the current insurance broker, Brinson Benefits, based on information received from a detailed questionnaire that was completed by each company.

**Mayor Pro Tem Crews moved, seconded by Council Member Butler, to approve to enter into a one-year agreement with Brinson Benefits for the City's insurance. All voted "Aye."**

10. CONSIDER APPROVAL OF PARTIAL ASSIGNMENT OF CITY'S GAS LEASE WITH CHESAPEAKE TO INCLUDE TOTAL E & P USA, INC.

Mayor Earwood explained that Chesapeake had recently partnered with E & P resulting in the partial undivided assignment of interest in the City's leases to E & P. The reassignment does not affect the royalty payments, however any assignment must be approved by the City Council.

**Mayor Pro Tem Crews moved, seconded by Council Member Gordon, to approve partial assignment of the City's gas lease with Chesapeake to include Total E & P USA, Inc as presented. All voted "Aye."**

11. APPEARANCE OF STEVE SANDERS, LYSA PRESIDENT, REQUESTING AN AGREEMENT WITH THE CITY FOR USE OF MCGEE PARK BALLFIELDS BY LYSA

LYSA (Lions Youth Sports Association) President, Steve Sanders, was present to request usage of the ball fields at McGee Park for game days on Tuesdays, Thursdays, and Saturdays for the 2010 baseball/softball season at no cost in exchange for maintenance of the fields, trash, concession area, and dugouts following each LYSA game. Mr. Sanders announced that a season opening event is planned for April 3, 2010 at which all eight LYSA teams would play on the fields along with additional activities to draw community members to McGee Park.

Council Members in attendance mutually agreed that the ball fields would be open to the public on a first come-first served basis when not rented or in use for LYSA games.

**Mayor Pro Tem Crews moved, seconded by Council Member Minter, to enter into an agreement with LYSA for the use of the McGee Park Ball fields with the recommended change as discussed. All voted "Aye."**

12. CONSIDER REQUEST OF PARK BOARD BY KATHY RODDEN AT 1001 KEITH PUMPHREY FOR A DOG PARK

Ms. Rodden was not present.

Mayor Earwood stated that the Park Board had responded to a citizen request for a dog park. The Park Board unanimously agreed that the City does not have adequate land or funding for a dog park at this time and provided a list of area dog parks to the requestor.

**Mayor Pro Tem Crews moved, seconded by Council Member Gordon, to accept the recommendation of the Park Board and deny the request for a dog park. All voted "Aye."**

13. DISCUSSION AND/OR ACTION ON AGREEMENT WITH GREMISS COMPUTING SERVICES FOR COMPUTER TECHNICAL SUPPORT

CS Gregory stated that the agreement with Gremiss Computing Services is valid through April 30, 2010. CS Gregory recommended continuing with Gremiss Computing Services on a month-to-month basis due to the recent consideration of a total telecommunications package that includes technical support.

**Council Member Gordon moved, seconded by Council Member Butler, to notify Gremiss Computing Services of the intent of the City not to renew the agreement on May 1, 2010 but to continue on a month-to-month basis until further notice. All voted "Aye."**

14. AMANDA KUHN AT 4715 HOPE ST. IN REFERENCE TO HAVING A COMMUNITY GARAGE SALE AT THE COMMUNITY CENTER TO BENEFIT THE AMERICAN CANCER SOCIETY

Mandy Kuhn was present to request the use of the River Oaks Community Center parking lot to hold a rummage sale on March 20, 2010 benefiting the American Cancer Society Relay for Life.

CS Gregory stated that a permit is required, however, the Council could chose to waive the permit fee.

**Council Member Butler moved, seconded by Mayor Pro Tem Crews, to allow Team Miller/Kuhn to hold a rummage sale on the parking lot of the Community Center and to waive the permit fee as presented. All voted "Aye."**

**ORDINANCES / RESOLUTIONS AND OTHER ITEMS REQUIRING COUNCIL APPROVAL/ACTION:**

15. CONSIDER APPROVAL OF RESOLUTION # **672-2010** AUTHORIZING ECONOMIC DEVELOPMENT CORPORATION (EDC) EXPENDITURES FROM THE APRIL 1, 2010 THRU SEPTEMBER 30, 2010 OPERATING BUDGET AS QUALIFIED FOR PROJECTS MORE THAN \$10,000.00 (FIRST READING)

CS Gregory stated that the only change to the EDC Budget was to include the additional ~~\$5,500~~ \$5,000 to Park Improvements for engineering services that would not be billed in the budget year ending March 31, 2010.

CS Gregory summarized the projects over \$10,000 as follows:

<b><u>Park Improvements</u></b>	Continuation of Park Improvements	\$ 44,000
Community Center Improvements	Upgrade to front of Community Center building	\$ 10,000
Promotional	Promotional Events to include expenditures of \$7500 for Fireworks Display for All American Celebration and purchasing new City Banners for promotion.	\$ 14,000
City Signage	Signage for City Hall to Advertise Information, Events and Promote City	\$ 29,409

Water System Improvements	Employee and Benefits to Continue Water Line Improvements on Long, Ohio Garden, 4800 River Oaks Blvd. (rear), and Moss	\$ 25,876
Sewer System Improvements	Continuation of Sewer Line Improvements on Lawther, Pomona, Cornell, Laura, Long & Stanford	\$ 50,000
Boulevard Enhancements	Landscaping of Medians on River Oaks Blvd. and Costs applied to Project	\$ 40,000
Property Incentives for Businesses	Redevelopment Enhancements to Upgrade Existing Businesses	\$ 50,000
	<b>Total Projects</b>	<b>\$ 263,285.00</b>

**Council Member Gordon, seconded by Council Member Butler, moved to approve Resolution # 672-2010 (first reading) authorizing the Economic Development Corporation Expenditures from the April 1, 2010 through September 30, 2010 Operating Budget as qualified for projects more than \$10,000. All voted "Aye."**

16. CONSIDER APPROVAL OF RESOLUTION # **673-2010** ELECTING TO BECOME ELIGIBLE TO PARTICIPATE IN GRANTING TAX ABATEMENTS AND ADOPTING GUIDELINES AND CRITERIA FOR TAX ABATEMENTS IN REINVESTMENT ZONES CREATED IN THE CITY OF RIVER OAKS

CA Elam proposed Resolution No 673-2010 that allows the City to move forward with tax abatement incentives and establishes guidelines for such programs.

Mayor Pro Tem Crews noted that in Section 4, and some other areas of the document, that the word "Mayor" should be "the Economic Development Corporation Coordinator." CA Elam stated that the document would be reviewed and corrected as necessary.

**Mayor Pro Tem Crews moved, seconded by Council Member Minter, to approve Resolution # 673-2010 with the recommended changes as discussed.**

#### **WORKSHOP:**

17. WORKSHOP ON THE APRIL 1ST THRU SEPTEMBER 30TH OPERATIONAL BUDGET FOR THE GENERAL, WATER AND SEWER FUNDS

CS Gregory reported that the proposed budget changes that included removing \$15,000 to complete the restroom at the Community Center and Council Chamber technology have been incorporated as requested during the previous workshop. The proposed budget reflects a deficit of \$731,482.

CS Gregory reported that the water/sewer budget is balanced.

18. ACTION FROM BUDGET WORKSHOP



**No action was taken.**

**PUBLIC FORUM:**

19. CITY COUNCIL INVITES CITIZENS TO SPEAK ON ANY TOPIC; HOWEVER, UNLESS THE ITEM IS SPECIFICALLY NOTED ON THIS AGENDA, THE CITY COUNCIL IS REQUIRED UNDER THE TEXAS OPEN MEETINGS ACT TO LIMIT ITS RESPONSE WITH A STATEMENT OF SPECIFIC FACTUAL INFORMATION, RECITING THE CITY'S EXISTING POLICY ON THAT ISSUE, OR DIRECTING THE PERSON MAKING THE INQUIRY TO VISIT WITH CITY STAFF ABOUT THE ISSUE. **NO COUNCIL DELIBERATION IS PERMITTED**

**FC Crews** announced the delivery of the new Fire Department Command Unit. FC Crews recognized Assistant Fire Chief Hawkins for an outstanding job designing the command unit.

**Citizen James Myrick** inquired about the City Monument Sign. FC Crews responded that installation should begin in the next few weeks.

**Don Istook**, CCI President, announced an event "March March" that would be held on Saturday, March 27, 2010 at 10:30 a.m. The event would begin at Castleberry Elementary with the participants marching to the City Hall Complex for a tour, and concluding back at Castleberry Elementary with hotdogs and cokes.

**Nancy Crews**, CCDAC President, announced the annual CCSAC auction/fundraiser to be held at the Community Center on April 8, 2010. The events funds six \$1,000 scholarships to graduating seniors.

**PC Chisholm** reported that installation of the new console has begun and the computers and cameras for the police vehicles have been ordered.

**PC Chisholm** requested that the Council carefully consider the City's insurance broker. PC Chisholm stated that E-Health has benefits that may not have been considered.

**Council Member Gordon** inquired about the State Wide Warrant Roundup. PC Chisholm stated that the City is participating in the Warrant Roundup this weekend.

**EXECUTIVE SESSION:**

20. CONVENE IN EXECUTIVE SESSION PURSUANT TO CHAPTER 551, TEXAS GOVERNMENT CODE: THE COUNCIL RESERVES THE RIGHT TO CONVENE IN EXECUTIVE SESSIONS(S) FROM TIME TO TIME ON ANY POSTED AGENDA ITEM TO RECEIVE ADVICE FROM ITS ATTORNEY AS PERMITTED BY LAW DURING THIS MEETING. THE COUNCIL MAY CONVENE IN EXECUTIVE SESSION TO DISCUSS THE FOLLOWING:

- a. Section 551.071 Pending or contemplated litigation or to seek advice from attorney:
- b. Section 551.072 Discussion regarding possible sale, lease or acquisition of real estate:
- c. Section 551.074 Personnel matters – To deliberate the appointment, employment, evaluation, reassignment of duties, discipline or dismissal of a Public Officer or Employee or to hear a complaint or charge against an Officer or Employee
- d. Section 551.076 Deliberation regarding security devices

**None called for.**

**RECONVENE:**

21. CONSIDER APPROVAL OF ANY ACTION FROM EXECUTIVE SESSION

**None.**

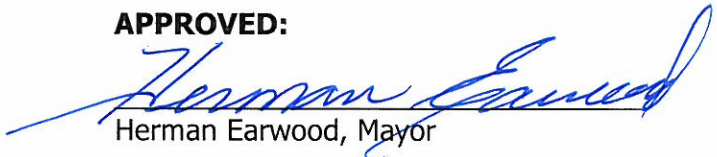
**ADJOURN:**

22. ADJOURN

**At 8:39 p.m. Council Member Gordon moved, seconded by Council Member Butler, to adjourn the meeting. All voted "Aye."**

**APPROVED THIS THE 23<sup>rd</sup> DAY OF MARCH 2010:**

**APPROVED:**



Herman Earwood, Mayor

**ATTEST:**



Marvin Gregory, City Secretary